

EXHIBIT 12

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May 3, 2010
Via Electronic Filing

Hon. Esther Salas, U.S.M.J.
US District Court
District of New Jersey
50 Walnut Street
Newark, NJ 07102

Re: Grossbaum vs. Genesis Genetics, et al.
Civil Action No.: 07-CV-1359 (HAA)

Dear Judge Salas:

On Tuesday, May 4, 2010 at 2:00 p.m. counsel have been directed to call the Court with an update on compliance with features of the Case Management Order requiring that depositions of all experts be completed within 60 days. At the time of that call, all counsel will advise that Plaintiff's experts' depositions on liability will have been taken at the time of the call, and that Defendants' liability experts' depositions will be completed by Friday, May 14th. The details are as follows:

- (1) Plaintiff's California based liability expert, Dr. Strom, has come east to facilitate his deposition in the area of JFK Airport on May 4th;
- (2) Defendant NYU's liability expert will be deposed in Boston on Monday, May 10th; and
- (3) Defendant Genesis Genetics' liability experts will be deposed on Thursday, May 13th, in NYC and on Friday, May 14th, in Detroit, Michigan.

I write this letter to request that the Court address a circumstance that now appears to have developed in the matter. Defendant Hughes has authored an expert

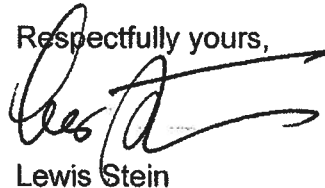
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report and is being offered as an expert on behalf of Defendants, Genesis Genetics and himself. Dr. Hughes deposition is now scheduled for Friday, May 14th, in Detroit.

In light of the offered expertise of Dr. Hughes, and the scheduling of his deposition in Detroit, it would appear to be of little adverse consequence to this Defendant as well as NYU to allow the Plaintiff to depose two of the Defendant Hughes' employees who are situated in Detroit at the Genesis Genetics location on the same day as Dr. Hughes' deposition of May 14th. I would seek leave to discuss this with you at the time of the scheduled conference call.

I write to advise Your Honor and adversaries of my intention to raise this question with the Court.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Lewis Stein', with a long horizontal flourish extending to the right.

Lewis Stein

LS:svd

cc: Stephen N. Leuchtman, Esq.- via electronic filing.
Jamele A. Hamad, Esq.- via electronic filing